

VANDERHOFF LAW GROUP
Alan Vanderhoff, Cal. Bar No. 138032
Jeanne C. Vanderhoff, Cal. Bar No. 138011
750 B Street, Suite 1620
San Diego, California 92101
Telephone: (619) 299-2050

Attorneys for KBR Group, LLC, KBR Opportunity
Fund I, LP, and KBR Opportunity Fund II, LP

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF CALIFORNIA

In re:

COLONY PROPERTIES INTERNATIONAL
II, LLC, a California limited liability
company,

Debtor.

Case No. 10-03361-PB-INV11

Adv. No. 10-90134

MOTION FOR PRELIMINARY
INJUNCTION RE CONTROL OF
COLONY PROPERTIES
INTERNATIONAL II, LLC

KBR GROUP, LLC, a California limited
liability company; KBR OPPORTUNITY
FUND I, LP, a California limited partnership;
and KBR OPPORTUNITY FUND II, LP, a
California limited partnership,

Date: April 21, 2010
Time: 10:00 p.m.
Dept.: Four
Judge: Hon. Peter W. Bowie

Plaintiffs,

v.

NICOLAS MARSCH, III, an individual;
COLONY PROPERTIES
INTERNATIONAL, LLC, a California
limited liability company; COLONY
PROPERTIES INTERNATIONAL II, LLC, a
California limited liability company;
BRIARWOOD CAPITAL, LLC, a California
limited liability company; and KRMW REAL
ESTATE INVESTMENT GROUP, LLC, a
California limited liability company,

Defendants.

1 KBR Group, LLC (“KBR Group”), KBR Opportunity Fund I, LP (“KBR Fund I”),
2 and KBR Opportunity Fund II, LP (“KBR Fund II”) (collectively “KBR”) hereby move this
3 Court to issue a preliminary injunction enjoining Nicolas Marsch from (1) exercising control
4 over Colony Properties International II, LLC (“Colony II”) or its assets, and (2) representing
5 himself to be the manager of Colony II or otherwise as someone who is authorized to act on
6 behalf of Colony I and ordering Marsch to turn over all control of Colony II to KBR Group.

7 This Motion is based on the Notice of Motion, the Memorandum of Points and
8 Authorities, and the Declaration of Michele Kucinski filed concurrently herewith, all
9 documents and pleadings on file in this case, and such other arguments and documents as
10 may be presented at or before the hearing on this Motion

11 March 24, 2010

VANDERHOFF LAW GROUP

12 /s/ Alan Vanderhoff

13 By: _____
Alan Vanderhoff

14 Attorneys for KBR Group, LLC, KBR Opportunity
15 Fund I, LP, and KBR Opportunity Fund II, LP
16
17
18
19
20
21
22
23
24
25
26
27
28